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PP RUEHDE
DE RUEHKU #1769 1361205
ZNY CCCCC ZZH
P 161205Z MAY 06
FM AMEMBASSY KUWAIT
TO RUEHGB/AMEMBASSY BAGHDAD PRIORITY 0617
RUEHC/SECSTATE WASHDC PRIORITY 4513
RUEKJCS/OSD WASHDC PRIORITY
INFO RUEHZM/GULF COOPERATION COUNCIL COLLECTIVE

C O N F I D E N T I A L KUWAIT 001769

SIPDIS

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FOR NEA/ARP AND S/WCI

E.O. 12958: DECL: 05/13/2016

TAGS: [PTER](#) [PREL](#) [PGOV](#) [PHUM](#) [KU](#)

SUBJECT: GOK REAFFIRMS THAT GITMO DETAINEES WILL BE TRIED;
RENEWES REQUEST FOR INFORMATION ON KUWAITIS DETAINED IN IRAQ

REF: A. STATE 72688

[1](#)B. KUWAIT 498

[1](#)C. KUWAIT 235

[1](#)D. BAGHDAD 317

Classified By: Ambassador Richard LeBaron for reasons 1.4(b) and (d)

[1](#)1. (U) This is an action request. See paragraphs 2 and 3.

[1](#)2. (C) On May 13, Polchief delivered ref A information on Guantanamo detainee Fouzi Khalid Abdullah Al-Awda (US9KU-000232DP) to Ministry of Foreign Affairs Director for Coordination and Follow-Up Ambassador Khaled Al-Maqamis. Al-Maqamis welcomed the information and referring to the recent discussion between Kuwaiti Ambassador to the U.S. Salem Al-Sabah and Department of Defense Deputy Secretary England, asked about arrangements for the repatriation of the six remaining Kuwaiti nationals currently detained at Guantanamo, specifically seeking guidance on air routes to be used and the number of escorts that will be permitted access to Guantanamo Bay. He also asserted Kuwait's agreement to the conditions for their repatriation and said the MFA would send to both the Kuwaiti embassy in Washington and to post a dipnote specifying: the humane treatment of all returned detainees, surveillance of returned detainees, the imposition of travel bans, prosecution under Kuwaiti law, and timely briefing of U.S. officials on the status of returned detainees. During a May 14 meeting with a State-Defense-NSC interagency delegation (septel), MFA Under Secretary Khaled Al-Jarallah asked Principal Deputy Under Secretary of Defense for Policy Ryan Henry about the transfer of the detainees, stressing that the matter should be completely resolved before the planned September visit of the Amir to Washington. Action request: Please provide post and the Kuwaiti Embassy with specific guidance on the logistics of transferring the five detainees to GOK custody.

[1](#)3. (C) Al-Maqamis again raised the issue of two Kuwaitis detained in Iraq: Abdelraham Mobarak Meshakhas Al-Bathali (ISN 157245) and Ali Awad Faraj Farjee Al-Harbi (ISN 166970). He restated the GOK request for information on Al-Bathali's transfer from Camp Bucca to a prison reportedly in Kurdish territory and asked the U.S. to consider his extradition to Kuwait, insisting that Al-Bathali was a known "bad guy" and would be detained and prosecuted. He maintained that Al-Harbi, who per ref B was transferred to Iraqi custody and sentenced to 15 years in jail, remained in U.S. physical custody. He also sought Al-Harbi's extradition to Kuwait complaining that the sentence was extreme when Al-Harbi's only crime was illegal border crossing (ref D). Action request: Please provide all available information releasable to the GOK on Al-Bathali. Please verify the location of Al-Harbi and provide information on the charges against him, and if possible, the transcript of his trial and sentence.

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LEBARON